

42390.P11232

PATENT

## REMARKS

Claims 1 - 16 of the application stand rejected. In the present amendment, Claims 1- 13 and Claim 15 have been canceled without prejudice and new Claims 17 – 31 have been added. No new matter has been added. Applicant respectfully requests reconsideration of the pending claims in light of the amendments and remarks herein.

Specification

The Office Action requested that Applicant add a "Summary of the Invention" description to the application. Applicant respectfully points out that both the M.P.E.P. and 37 C.F.R. §1.73 do not require the presence of a "Summary of the Invention" in a patent application. They merely indicate where in the application the "Summary of the Invention" should be placed if Applicants were to elect to include one. In particular, 37 C.F.R. §1.73 only states that "A brief summary of the invention ... *should* precede the detailed description. Such summary should, *when set forth*, be commensurate with the invention as claimed..." (emphasis added) 37 CFR § 1.73 does not state "must" or "shall" and the permissive language indicates that it is within the Applicant's discretion to make an election whether to include a summary. Accordingly, Applicant has elected not to include a "Summary of the Invention". Applicant therefore respectfully requests the Examiner to withdraw the objection to the specification.

35 U.S.C. §102(e)

Claims 1-16 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,388,658 ("Ahern"). Applicant respectfully submits that Claims 1- 13 and Claim 15 have been canceled without prejudice. Additionally, Applicant submits that Claims 14 and 16, as amended, and new Claims 17 – 31 are not anticipated by Ahern. Ahern does not disclose transferring data from a selected computer to another computer, as claimed. Ahern describes a "High-End KVM Switching System." As described in the present application, these types of systems are well-known devices that allow multiple computers to share the same keyboard, mouse, and video monitor (Page 2, lines 13 – 14). Ahern does not, however, disclose the presently claimed invention, namely transferring data

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from a selected computer to a memory on a switching device, and then transferring the data from the memory on the switching device to another computer. Ahern therefore does not anticipate pending Claims 14 and 16 – 31 under 35 U.S.C. § 102(e) and Applicants respectfully request that the Examiner withdraw this rejection to the claims.

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## CONCLUSION

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 14 and 16 – 31 are in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (310) 406-2362.

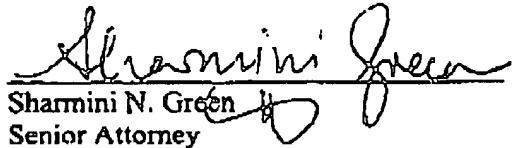
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Respectfully submitted,

SEP 22 2003

Dated: September 17, 2003

  
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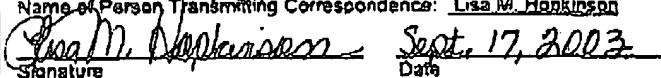
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